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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,722	06/23/2003	David Francis Fleming	17919 (20958-01027)	8749

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EXAMINER,

NASRI, JAVAID H

ART UNIT PAPER NUMBER

2839

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/601,722	<b>Applicant(s)</b> FLEMING ET AL.	
	<b>Examiner</b> Javaid Nasri	<b>Art Unit</b> 2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Election/Restrictions*

1. The restriction/election requirement is withdrawn.

### *Drawings*

2. The drawings are objected to because
  - a) Provide standard lettering,
  - b) Provide uniformly thick lines,

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the

a) the lances having at least one of variable thickness and width, per claim 19, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

4. Claim 4 is objected to because of the following informalities:

a) In claim 4, line 1, change "said main portion" to -- said mating portion --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a) Claim 11 recites the limitation "said carrier" in line 3. There is insufficient antecedent basis for this limitation in the claim.
- b) In claim 14, line 2, a carrier is already in claim 11.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Long, Jr. (5,772,454).

Long, Jr. discloses, **for claim 1**, a body with a top surface, a bottom surface and side edges, the body including a retention finger (36) formed integral with the body and retention finger is adapted to secure the body to a carrier (50), **for claim 2**, wire retainer (30), **for claim 3**, mating portion (see figure 5), **for claim 4**, faston type mating portion, **for claim 5**, lance (36), **for claim 8**, the carrier has at least one hole from a first surface to a second surface, the retention finger

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extends through the at least one hole to engage the second surface of the carrier (see figure 5), **for claims 9 and 10**, only a distal portion of the retention finger is bent to engage the second surface of the carrier (see col. 3, lines 55-65).

9. Claims 1, 6, 7, 11-15, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Pritulsky (4,264,117).

Pritulsky discloses, **for claim 1**, a body with a top surface, a bottom surface and side edges, the body including a retention finger (44) formed integral with the body and retention finger is adapted to secure the body to a carrier (housing), **for claim 6**, a pair of retention fingers formed integral with the body, **for claim 7**, the retention finger is stamped from the body (see col. 2, lines 34-37 and bent substantially perpendicular to the bottom surface (a bottom is a relative term), **for claim 11**, at least one contact (28) having a body with a top surface, a bottom surface, and side edges, the body including at least a pair of lances (44) formed integral with the body, the lances configured to secure the body to the carrier (housing), **for claim 12**, a wire retainer joined to the body, the wire retainer configured to receive a wire, **for claim 13**, a mating portion joined to the body, **for claim 14**, an insulative carrier (housing) having a first surface and a second surface, the bottom surface of the body provided on the first surface of the carrier, **for claim 15**, the lances are stamped from the body in faced relation with each other, the lances are bent substantially perpendicular to the bottom surface (see col. 2, lines 34-37), **for claim 19**, the lances having at least one of variable thickness and width (see figure 1), **for claim 20**, the lances are triangularly shaped (see figure 1).

10. Claims 11 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Cloutier (2,755,453).

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Cloutier discloses, **for claim 11**, at least one contact (6) having a body with a top surface, a bottom surface, and side edges, the body including at least a pair of lances (18, 19) formed integral with the body, the lances configured to secure the body to the carrier (12), **for claim 18**, the lances extend from the side edges of the body, the lances are bent to engage the second surface.

*Allowable Subject Matter*

11. Claims 16 and 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

**REASONS FOR ALLOWANCE**

12. The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the inclusion of the limitation,

- a) **For claim 16**, none of the prior art teaches or suggest, alone or in combination the carrier has at least a pair of holes from the first surface to the second surface, each of the lances extend through one of the holes to engage the second surface of the carrier, in combination with other limitations in the claim which is not found in the prior art reference of record.
- b) **For claim 17**, none of the prior art teaches or suggest, alone or in combination the lances are crimped in a staple like manner to the second surface, in combination

with other limitations in the claim which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contact***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any correspondence to this action may be mailed to:**

**Commissioner for Patents  
Post Office Box 1450**



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**Alexandria, VA 22313-1450**

For additional information regarding this new address, which was effective May 1, 2003, see *Correspondence with the United States Patent and Trademark Office, 68 Fed. Reg. 14332 (March 25, 2003)*.

**Or faxed to:** 703-308-7722 or 308-7724 (informal or draft communications should be clearly labeled "PROPOSED" or "DRAFT")

**Hand-delivered responses should be brought to:**

**Crystal Plaza 4, Fourth Floor (receptionist)**

**2201 South Clark Place, Arlington, Virginia**



Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN

jhn

November 9, 2004